

I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

FILED MAR 06 2007

By: Brendy Wesley

H.B. No. 2703

A BILL TO BE ENTITLED

AN ACT

relating to interference with the duties of a public health
professional; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 38.15(a), Penal Code, is amended to read
as follows:

(a) A person commits an offense if the person with criminal
negligence interrupts, disrupts, impedes, or otherwise interferes
with:

(1) a peace officer while the peace officer is
performing a duty or exercising authority imposed or granted by
law;

(2) a person who is employed to provide emergency
medical services including the transportation of ill or injured
persons while the person is performing that duty;

(3) a fire fighter, while the fire fighter is fighting
a fire or investigating the cause of a fire;

(4) an animal under the supervision of a peace
officer, corrections officer, or jailer, if the person knows the
animal is being used for law enforcement, corrections, prison or
jail security, or investigative purposes;

(5) the transmission of a communication over a
citizen's band radio channel, the purpose of which communication is
to inform or inquire about an emergency; [~~or~~]

1 (6) an officer with responsibility for animal control
2 in a county or municipality, while the officer is performing a duty
3 or exercising authority imposed or granted under Chapter 821 or
4 822, Health and Safety Code; or

5 (7) a person with responsibility for assessing,
6 enacting, or enforcing public health, environmental, or safety
7 measures in a county or municipality while the person is performing
8 a duty or exercising authority imposed or granted under Chapter 81,
9 121, 341, 343, 344, 361, 365, 366, 382, 431, 432, 433, 437, or 438,
10 Health and Safety Code, or Chapter 7 or 26, Water Code.

11 SECTION 2. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 covered by the law in effect when the offense was committed, and the
15 former law is continued in effect for that purpose. For purposes of
16 this section, an offense was committed before the effective date of
17 this Act if any element of the offense was committed before that
18 date.

19 SECTION 3. This Act takes effect September 1, 2007.

HOUSE COMMITTEE REPORT

1st Printing

07 APR 24 AM 1:32
HOUSE OF REPRESENTATIVES

By: Woolley

H.B. No. 2703

Substitute the following for H.B. No. 2703:

By: Pena

C.S.H.B. No. 2703

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AN ACT

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(1) a peace officer while the peace officer is performing a duty or exercising authority imposed or granted by law;

(2) a person who is employed to provide emergency medical services including the transportation of ill or injured persons while the person is performing that duty;

(3) a fire fighter, while the fire fighter is fighting a fire or investigating the cause of a fire;

(4) an animal under the supervision of a peace officer, corrections officer, or jailer, if the person knows the animal is being used for law enforcement, corrections, prison or jail security, or investigative purposes;

(5) the transmission of a communication over a citizen's band radio channel, the purpose of which communication is to inform or inquire about an emergency; [~~or~~]

1 (6) an officer with responsibility for animal control
2 in a county or municipality, while the officer is performing a duty
3 or exercising authority imposed or granted under Chapter 821 or
4 822, Health and Safety Code; or

5 (7) a person with responsibility for assessing,
6 enacting, or enforcing public health, environmental, radiation, or
7 safety measures for the state or a county or municipality while the
8 person is performing a duty or exercising authority imposed or
9 granted under the Agriculture Code, Health and Safety Code,
10 Occupations Code, or Water Code.

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13 An offense committed before the effective date of this Act is
14 covered by the law in effect when the offense was committed, and the
15 former law is continued in effect for that purpose. For purposes of
16 this section, an offense was committed before the effective date of
17 this Act if any element of the offense was committed before that
18 date.

19 SECTION 3. This Act takes effect September 1, 2007.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

4/18/07
(date)

Sir:

We, your COMMITTEE ON CRIMINAL JURISPRUDENCE

to whom was referred HB 2703 have had the same under consideration and beg to report back with the recommendation that it

- () do pass, without amendment.
- () do pass, with amendment(s).
- (X) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- (X) yes () no A fiscal note was requested.
- (X) yes () no A criminal justice policy impact statement was requested.
- () yes (X) no An equalized educational funding impact statement was requested.
- () yes (X) no An actuarial analysis was requested.
- () yes (X) no A water development policy impact statement was requested.
- () yes (X) no A tax equity note was requested.
- () The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor

Joint Sponsors:

Co-Sponsors:

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Peña, Chair	X			
Vaught, Vice-Chair	X			
Riddle, CBO	X			
Moreno				X
Talton	X			
Hodge	X			
Escobar	X			
Pierson				X
Mallory Caraway	X			

Total

7 aye
0 nay
0 present, not voting
2 absent

CHAIR

BILL ANALYSIS

C.S.H.B. 2703
By: Woolley
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

County, municipal and state public health professionals carry out a variety of public duties that are mandated or authorized by Texas statute. For example, environmental, public health and safety inspectors assess compliance with statutes regarding food safety, drinking water, surface water, air quality, sanitation and neighborhood nuisance as described in Chapters 341 and 343 of the Texas Health and Safety Code. Disease control personnel carry out measures authorized by Chapter 81 of the Health and Safety Code, such as managing patients with tuberculosis. Mosquito control personnel carry out community inspection, nuisance abatement and mosquito control activities as described in Chapter 344 of the Texas Health and Safety Code.

Due to the nature of these tasks, which include entering private businesses, homes and property to conduct inspections and assessments, respond to citizen complaints, issue penalties, carry out disease control measures and abate nuisances, public health professionals sometimes face hostile and dangerous situations. C.S.H.B. 2703 creates an offense if a person interferes with the duties of a person with responsibilities for assessing, enacting, or enforcing public health, environmental, radiation, or safety measures for the state or a county or municipality.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Committee Substitute to House Bill 2703 amends Section 38.15, Penal Code, to provide that a person commits an offense if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with a person with responsibility for assessing, enacting, or enforcing public health, environmental, radiation, or safety measures for the state, a county, or a municipality while that person is performing a duty or exercising authority imposed or granted under the Agriculture Code, Health and Safety Code, Occupations Code, or Water Code. Makes application of this Act prospective.

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute provides that a person commits an offense if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with a person with responsibility for assessing, enacting, or enforcing public health, environmental, radiation, or safety measures for the state, a county, or a municipality while that person is performing a duty or exercising authority imposed or granted under the Agriculture Code, Health and Safety Code, Occupations Code, or Water Code. The original included a person with responsibility for assessing, enacting, or enforcing public health, environmental, or safety measures in a county or municipality while the person is performing a duty or exercising authority imposed or granted under Chapter 81, 121, 341, 343, 344, 361, 365, 366, 382, 431, 432, 433, 437, or 438, Health and Safety Code, or Chapter 7 or 26, Water Code.

SUMMARY OF COMMITTEE ACTION

HB 2703

April 17, 2007 8:00 AM

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 18, 2007 upon final adjourn./recess

Considered in formal meeting

Committee substitute considered in committee

Reported favorably as substituted

+2

WITNESS LIST

HB 2703
HOUSE COMMITTEE REPORT
Criminal Jurisprudence Committee

April 17, 2007 - 8:00 AM

For: Love, Elizabeth (Harris County Public Health and Environmental Service)

Registering, but not testifying:

For: Acevedo, Julie (Texas Fire Chiefs)
Elizondo, Marcel (Texas Environmental Health Association)
Lane, Lee (Texas Association of Local Health Officials)
Mendez, Mark (Tarrant County)
Pali, Terri (Texas Public Health Association)
Siebert, Bill (Texas Restaurant Association)
Urban, John Paul (Harris County)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 20, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interfering with the duties of a public health professional; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 38.15(a), Penal Code, by adding to the list of actions that constitute an offense of obstructing governmental operation the act of interfering with a state, county, or municipal public health official while that person is performing their duties.

The bill would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 15, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Introduced**

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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 22, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interfering with the duties of a public health professional; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 12, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Introduced**

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Source Agencies:

LBB Staff: JOB, GG

ADOPTED

MAY 03 2007

Robert Hanes
Chief Clerk
House of Representatives

as amended

By: _____

Substitute the following for H.B. No. 2703:

By: _____

H.B. No. 2703

C.S.H.B. No. 2703

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(2) a person who is employed to provide emergency medical services including the transportation of ill or injured persons while the person is performing that duty;

(3) a fire fighter, while the fire fighter is fighting a fire or investigating the cause of a fire;

(4) an animal under the supervision of a peace officer, corrections officer, or jailer, if the person knows the animal is being used for law enforcement, corrections, prison or jail security, or investigative purposes;

(5) the transmission of a communication over a citizen's band radio channel, the purpose of which communication is to inform or inquire about an emergency; [or]

1 (6) an officer with responsibility for animal control
2 in a county or municipality, while the officer is performing a duty
3 or exercising authority imposed or granted under Chapter 821 or
4 822, Health and Safety Code; or

5 ~~(7) a person with responsibility for assessing,~~
6 ~~enacting, or enforcing public health, environmental, radiation, or~~
7 ~~safety measures for the state or a county or municipality while the~~
8 ~~person is performing a duty or exercising authority imposed or~~
9 ~~granted under the Agriculture Code, Health and Safety Code,~~
10 ~~Occupations Code, or Water Code.~~

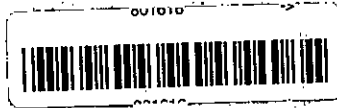
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14 covered by the law in effect when the offense was committed, and the
15 former law is continued in effect for that purpose. For purposes of
16 this section, an offense was committed before the effective date of
17 this Act if any element of the offense was committed before that
18 date.

19 SECTION 3. This Act takes effect September 1, 2007.

ADOPTED

MAY 03 2007

Robert Haney
Chief Clerk
House of Representatives



FLOOR AMENDMENT NO. 1

BY: Beverly Woolley

Amend C.S.H.B. 2703 by striking page 2, lines 5 through 10,
and substituting the following: CJA 2703

CJA (7) a person who:

CJA (A) has responsibility for assessing, enacting,
or enforcing public health, environmental, radiation, or safety
measures for the state or a county or municipality;

(B) is investigating a particular site as part of
the person's responsibilities under Paragraph (A);

(C) is acting in accordance with policies and
procedures related to the safety and security of the site described
by Paragraph (B); and

(D) is performing a duty or exercising authority
imposed or granted under the Agriculture Code, Health and Safety
Code, Occupations Code, or Water Code.

SECOND READING
ENGROSSMENT

By: Woolley, et al.

H.B. No. 2703

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(5) the transmission of a communication over a citizen's band radio channel, the purpose of which communication is to inform or inquire about an emergency; [~~or~~]

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2 in a county or municipality, while the officer is performing a duty
3 or exercising authority imposed or granted under Chapter 821 or
4 822, Health and Safety Code; or

5 (7) a person who:

6 (A) has responsibility for assessing, enacting,
7 or enforcing public health, environmental, radiation, or safety
8 measures for the state or a county or municipality;

9 (B) is investigating a particular site as part of
10 the person's responsibilities under Paragraph (A);

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12 procedures related to the safety and security of the site described
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HOUSE ENGROSSMENT

By: Woolley, et al.

H.B. No. 2703

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10 the person's responsibilities under Paragraph (A);

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12 procedures related to the safety and security of the site described
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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 20, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interfering with the duties of a public health professional; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 38.15(a), Penal Code, by adding to the list of actions that constitute an offense of obstructing governmental operation the act of interfering with a state, county, or municipal public health official while that person is performing their duties.

The bill would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 15, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), As Introduced

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Local Government Impact

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Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 22, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interfering with the duties of a public health professional; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 12, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

1-1 By: Woolley, et al. (Senate Sponsor - Gallegos) H.B. No. 2703
1-2 (In the Senate - Received from the House May 7, 2007;
1-3 May 8, 2007, read first time and referred to Committee on Criminal
1-4 Justice; May 18, 2007, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to interference with the duties of a public health
1-9 professional; providing a criminal penalty.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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1-14 negligence interrupts, disrupts, impedes, or otherwise interferes
1-15 with:

1-16 (1) a peace officer while the peace officer is
1-17 performing a duty or exercising authority imposed or granted by
1-18 law;

1-19 (2) a person who is employed to provide emergency
1-20 medical services including the transportation of ill or injured
1-21 persons while the person is performing that duty;

1-22 (3) a fire fighter, while the fire fighter is fighting
1-23 a fire or investigating the cause of a fire;

1-24 (4) an animal under the supervision of a peace
1-25 officer, corrections officer, or jailer, if the person knows the
1-26 animal is being used for law enforcement, corrections, prison or
1-27 jail security, or investigative purposes;

1-28 (5) the transmission of a communication over a
1-29 citizen's band radio channel, the purpose of which communication is
1-30 to inform or inquire about an emergency; [~~or~~]

1-31 (6) an officer with responsibility for animal control
1-32 in a county or municipality, while the officer is performing a duty
1-33 or exercising authority imposed or granted under Chapter 821 or
1-34 822, Health and Safety Code; or

1-35 (7) a person who:
1-36 (A) has responsibility for assessing, enacting,
1-37 or enforcing public health, environmental, radiation, or safety
1-38 measures for the state or a county or municipality;

1-39 (B) is investigating a particular site as part of
1-40 the person's responsibilities under Paragraph (A);

1-41 (C) is acting in accordance with policies and
1-42 procedures related to the safety and security of the site described
1-43 by Paragraph (B); and

1-44 (D) is performing a duty or exercising authority
1-45 imposed or granted under the Agriculture Code, Health and Safety
1-46 Code, Occupations Code, or Water Code.

1-47 SECTION 2. The change in law made by this Act applies only
1-48 to an offense committed on or after the effective date of this Act.
1-49 An offense committed before the effective date of this Act is
1-50 covered by the law in effect when the offense was committed, and the
1-51 former law is continued in effect for that purpose. For purposes of
1-52 this section, an offense was committed before the effective date of
1-53 this Act if any element of the offense was committed before that
1-54 date.

1-55 SECTION 3. This Act takes effect September 1, 2007.

1-56 * * * * *

FAVORABLE
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 2703

By Gallegos
(Author/Senate Sponsor)
5-18-07
(date)

We, your Committee on CRIMINAL JUSTICE, to which was referred the attached measure,
have on May 17, 2007, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Whitmire, Chair	✓			
Senator Seliger, Vice-Chair	✓			
Senator Carona			✓	
Senator Deuell	✓			
Senator Ellis	✓			
Senator Hegar			✓	
Senator Hinojosa	✓			
TOTAL VOTES	5	0	2	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

COMMITTEE CLERK

CHAIR

Paper clip the original and one copy of this signed form to the original bill
Retain one copy of this form for Committee files

WITNESS LIST

HB 2703

Senate Committee Report

Criminal Justice

May 17, 2007 - 1:30 PM or upon adjournment

Registering, but not testifying:

For:

Leo, Myra Consultant (Harris County), Austin, TX

McMahan, Joseph (Texas Restaurant Association), Austin, TX

BILL ANALYSIS

Senate Research Center

H.B. 2703
By: Woolley, Ortiz, Jr. (Gallegos)
Criminal Justice
5/17/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State and local public health officials carry out a variety of public duties required and authorized by state law. These duties involve entering private businesses, homes, and property in order to conduct inspections and assessments, respond to citizen complaints, issue penalties, carry out disease control, and abate nuisances. These professionals sometimes face hostile and dangerous situations when performing their duties, yet current law does not provide any sort of prohibition on interfering with these officials.

H.B. 2703 provides legal recourse in situations where citizens interfere with the duties of certain state and local officials by making such interference an offense of law.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 38.15(a), Penal Code, to provide that a person commits an offense if the person, with criminal negligence, interrupts, disrupts, impedes, or otherwise interferes with the duties or authority of a person who is investigating a particular site in a certain manner and who is assessing, enacting, or enforcing public health, environmental, radiation, or safety measures under the authority or requirements of the Agriculture Code, the Health and Safety Code, the Occupations Code, or the Water Code. Makes a nonsubstantive change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 38.15(a), Penal Code, by adding to the list of actions that constitute an offense of obstructing governmental operation the act of interfering with a state, county, or municipal public health official while that person is performing their duties.

The bill would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 20, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2703** by Woolley (Relating to interfering with the duties of a public health professional; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 38.15(a), Penal Code, by adding to the list of actions that constitute an offense of obstructing governmental operation the act of interfering with a state, county, or municipal public health official while that person is performing their duties.

The bill would apply only to an offense committed on or after the effective date of the bill, which would be September 1, 2007.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 15, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Section 38.15(a), Penal Code, by adding to the list of actions that constitute an offense of obstructing governmental operation the act of interfering with a county or municipal public health official while that person is performing their duties.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, ES, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 16, 2007

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Engrossed**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 22, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interfering with the duties of a public health professional; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 12, 2007

TO: Honorable Aaron Pena, Chair, House Committee on Criminal Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2703 by Woolley (Relating to interference with the duties of a public health professional; providing a criminal penalty.), **As Introduced**

No significant impact on the programs and workload of state corrections agencies or on the demand for resources and services of those agencies is anticipated from any provisions of this bill that authorize or require a change in the sanctions applicable to adults convicted of felony crimes.

Source Agencies:

LBB Staff: JOB, GG

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR KIM BRIMER, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 2703, by Gallegos,
(Bill No.) (Author/Sponsor)

was heard by the Committee on Criminal Justice on May 17,
2007,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.



(Clerk of the reporting committee)

IMPORTANT: TWO COPIES OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.

ENROLLMENT
H.B. No. 2703

AN ACT

relating to interference with the duties of a public health professional; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 38.15(a), Penal Code, is amended to read as follows:

(a) A person commits an offense if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with:

(1) a peace officer while the peace officer is performing a duty or exercising authority imposed or granted by law;

(2) a person who is employed to provide emergency medical services including the transportation of ill or injured persons while the person is performing that duty;

(3) a fire fighter, while the fire fighter is fighting a fire or investigating the cause of a fire;

(4) an animal under the supervision of a peace officer, corrections officer, or jailer, if the person knows the animal is being used for law enforcement, corrections, prison or jail security, or investigative purposes;

(5) the transmission of a communication over a citizen's band radio channel, the purpose of which communication is to inform or inquire about an emergency; [~~or~~]

1 (6) an officer with responsibility for animal control
2 in a county or municipality, while the officer is performing a duty
3 or exercising authority imposed or granted under Chapter 821 or
4 822, Health and Safety Code; or

5 (7) a person who:

6 (A) has responsibility for assessing, enacting,
7 or enforcing public health, environmental, radiation, or safety
8 measures for the state or a county or municipality;

9 (B) is investigating a particular site as part of
10 the person's responsibilities under Paragraph (A);

11 (C) is acting in accordance with policies and
12 procedures related to the safety and security of the site described
13 by Paragraph (B); and

14 (D) is performing a duty or exercising authority
15 imposed or granted under the Agriculture Code, Health and Safety
16 Code, Occupations Code, or Water Code.

17 SECTION 2. The change in law made by this Act applies only
18 to an offense committed on or after the effective date of this Act.
19 An offense committed before the effective date of this Act is
20 covered by the law in effect when the offense was committed, and the
21 former law is continued in effect for that purpose. For purposes of
22 this section, an offense was committed before the effective date of
23 this Act if any element of the offense was committed before that
24 date.

25 SECTION 3. This Act takes effect September 1, 2007.

H.B. No. 2703

President of the Senate

Speaker of the House

I certify that H.B. No. 2703 was passed by the House on May 4, 2007, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2703 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2703 was passed by the House
(1)

on May 4, 2007, by the following vote:
(2)

Yeas 144, Nays 0, 1 present, not voting
(3) (4)

Chief Clerk of the House

I certify that H.B. No. 2703 was passed by the Senate

on May 23, 2007, by the following vote:
(5)

Yeas 31, Nays 0
(6) (7)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT24

80TH LEGISLATURE**COAUTHOR AUTHORIZATION**

(please request your coauthors to sign this form
in lieu of the front or the back of the original bill)

Bill or Resolution Number: HB 2703Beverly Woolley
signature of **primary** authorBEVERLY WOOLLEY
printed name of **primary** author3/6/07
DatePERMISSION TO SIGN HB 2703 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)☒ ALL REPRESENTATIVES

THE FOLLOWING REPRESENTATIVE(S): _____

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

A2100 Allen	Date	A2450 Cook, Byron	Date	A2795 Farabee	Date
A2125 Alonzo	Date	A2565 Cook, Robby	Date	A2820 Farias	Date
A2150 Anchia	Date	A2595 Corte	Date	A2810 Farrar	Date
A2155 Anderson	Date	A2605 Crabb	Date	A2840 Flores	Date
A2145 Aycock	Date	A2610 Craddick	Date	A2850 Flynn	Date
A2160 Bailey	Date	A2615 Creighton	Date	A2860 Frost	Date
A2205 Berman	Date	A2640 Crownover	Date	A2920 Gallego	Date
A2230 Bohac	Date	A2645 Darby	Date	A2915 Garcia	Date
A2240 Bolton	Date	A2620 Davis, John	Date	A2960 Gattis	Date
A2250 Bonnen	Date	A2625 Davis, Yvonne	Date	A2945 Geren	Date
A2280 Branch	Date	A2680 Delisi	Date	A2935 Giddings	Date
A2265 Brown, Betty	Date	A2690 Deshotel	Date	A2910 Gonzales	Date
A2270 Brown, Fred	Date	A2705 Driver	Date	A4660 Gonzalez Tourcilles	Date
A2255 Burnam	Date	A2665 Dukes	Date	A2990 Goolsby	Date
A2295 Callegari	Date	A2660 Dunnam	Date	A3045 Guillen	Date
A2495 Castro	Date	A2650 Dutton	Date	A3035 Haggerty	Date
A2585 Chavez	Date	A2775 Eiland	Date	A3050 Hamilton	Date
A2480 Chisum	Date	A2780 Eissler	Date	A3100 Hancock	Date
A2525 Christian	Date	A2785 Elkins	Date	A3160 Hardcastle	Date
A2425 Cohen	Date	A2805 England	Date	A3150 Harless	Date
A2435 Coleman	Date	A2800 Escobar	Date	A3165 Harper-Brown	Date

A3170 Hartnett	Date	A3730 Mallory Caraway	Date	A4185 Pitts	Date
A3175 Heflin	Date	A3780 Martinez	Date	A4200 Puente	Date
A3155 Hernandez	Date	A2835 Martinez Fischer	Date	A4230 Quintanilla	Date
A3140 Herrero	Date	A3665 McCall	Date	A4215 Raymond	Date
A3250 Hilderbran	Date	A3650 McClendon	Date	A4220 Riddle	Date
A3275 Hill	Date	A3845 McReynolds	Date	A4250 Ritter	Date
A3305 Hochberg	Date	A3830 Menendez	Date	A4270 Rodriguez	Date
A3290 Hodge	Date	A3840 Merritt	Date	A4350 Rose	Date
A3325 Homer	Date	A3825 Miles	Date	A4525 Smith, Todd	Date
A3330 Hopson	Date	A3835 Miller	Date	A4540 Smith, Wayne	Date
A3315 Howard, Charlie	Date	A3860 Moreno	Date	A4530 Smithee	Date
A3310 Howard, Donna	Date	A3870 Morrison	Date	A4505 Solomons	Date
A3340 Hughes	Date	A3865 Mowery	Date	A4545 Strama	Date
A3375 Isett	Date	A3875 Murphy	Date	A4565 Straus	Date
A3350 Jackson	Date	A3885 Naishtat	Date	A4570 Swinford	Date
A3405 Jones	Date	A3900 Noriega	Date	A4585 Talton	Date
A3480 Keffler	Date	A3890 O'Day	Date	A4600 Taylor	Date
A3470 King, Phil	Date	A3880 Oliveira	Date	A4630 Thompson	Date
A3460 King, Susan	Date	A3886 Olivo	Date	A4650 Truitt	Date
A3465 King, Tracy	Date	A3940 Orr	Date	A4685 Turner	Date
A3495 Kolkhorst	Date	A3940 Ortiz, Jr.	Date	A4700 Van Arsdale	Date
A3485 Krusee	Date	A3945 Otto	Date	A4780 Vaught	Date
A3450 Kuempel	Date	A4090 Parker	Date	A4725 Veasey	Date
A3520 Latham	Date	A4050 Patrick	Date	A4800 Villarreal	Date
A3540 Laubenberg	Date	A4100 Paxton	Date	A4900 Vo	Date
A3560 Leibowitz	Date	A4140 Pena	Date	A4995 West	Date
A3610 Lucio, III	Date	A4160 Phillips	Date	A5005 Woolley	Date
A3705 Macias	Date	A4180 Pickett	Date	A5150 Zedler	Date
A3715 Madden	Date	A3240 Pierson	Date	A5170 Zerwas	Date

H.B. No. 2703

A BILL TO BE ENTITLED
AN ACT

By

Beverly Wealby

relating to interference with the duties of a public health professional; providing a criminal penalty.

MAR 06 2007

Filed with the Chief Clerk

MAR 13 2007

Read first time and referred to Committee on Criminal Jurisprudence

APR 18 2007

Reported favorably (as substituted)

APR 24 2007

Sent to Committee on (Calendars)

MAY 03 2007

Read second time (comm. subst.) (amended); passed to third reading (unanimous consent) by a (non-record vote)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of yeas, nays, present, not voting

MAY 04 2007

Read third time (amended); finally passed (unanimous consent) by a (unanimous consent) (record vote of 144 yeas, 0 nays, 1 present, not voting)

MAY 04 2007

Engrossed

MAY - 7 2007

Sent to Senate

Robert Hancey
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 07 2007

Received from the House

CRIMINAL JUSTICE

MAY 08 2007

Read and referred to Committee on

MAY 18 2007

Reported favorably

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

MAY 23 2007

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by

MAY 23 2007

Read second time, , and passed to third reading by (unanimous consent) (a viva voce vote) (yeas, nays)

MAY 23 2007

Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays

MAY 23 2007

Read third time, , and passed by a (viva voce vote) (31 yeas, 0 nays)

Returned to the House

Patsy Spaw
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 23 2007

Returned from the Senate (as substituted,
(with amendments))

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,

Senate granted House request. Senate conferees appointed: _____, Chair;

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

07 APR 24 AM 1:32
HOUSE OF REPRESENTATIVES